

**BOARD OF NURSING
REGULAR MEETING
APRIL 4, 2002**

MEMBERS PRESENT: June Bahr, LPN (arrived 9:05 a.m.), Marie Kohlbeck, Bettye Lawrence (excused at 12:30 p.m.), Ruth Lindgren, RN, Pamela Maxson-Cooper, RN, Marilynn Panka, LPN, Linda Sanner, RN

MEMBER EXCUSED: Jackie Johnsrud, RN

STAFF PRESENT: Kimberly Nania, Bureau Director; Wayne Austin, Legal Counsel; Karen Rude-Evans, Program Assistant

GUESTS: Diane Peters, WHHA; Gina Dennik-Champion, WNA

CALL TO ORDER

Chair Linda Sanner called the meeting to order at 8:40 a.m.

APPROVAL OF AGENDA

Amendments: -Report of meeting with Secretary Herrera and Board Chairs
-Report of Coalition of Nursing Redesign
-U.S. DHHS Regulations relating to CRNA's
-Possible Board Order violation – Lisa Marie Amick, RN
-Possible Board Order violation – Lee Dziatkiewicz, RN
-Request for full licensure – Jean Keune, RN
-Proposed Stipulation – Caren A. Burke, RN
-Proposed Stipulation – Lynette E. Kramer, RN
-Proposed Stipulation – Julie L. Penewell, RN
-Additional information regarding Heidi River, RN

MOTION: Marilynn Panka moved, seconded by Pamela Maxson-Cooper, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 1, 2002

Corrections: -On page 2, under REPORT OF EDUCATION COMMITTEE, in the motion delete “decision” and insert “recommendation”.
-On page 3, under ADJOURN TO CLOSED SESSION, Marilynn Panka made the motion.

MOTION: Pamela Maxson-Cooper moved, seconded by Marilynn Panka, to approve the Minutes of March 1, 2002 as corrected. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 13, 2002 TELECONFERENCE

MOTION: Marilyn Panka moved, seconded by Pamela Maxson-Cooper, to approve the Minutes of the March 13, 2002 Teleconference as written. Ruth Lindgren abstained. Motion carried.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

These reports were informational.

RESPONSE FROM PHARMACY EXAMINING BOARD REGARDING HEALTHCARE PROVIDER ADDICTION AND LICENSING

The Board reviewed the response from the Pharmacy examining Board relating to healthcare providers on a methadone treatment plan for chronic pain.

REPORT OF MEETING WITH SECRETARY HERRERA AND THE CHAIRS OF THE HEALTH BOARDS REGARDING THE REORGANIZATION OF DRL

Linda Sanner reported on the meeting held on March 6, 2002 with Secretary Herrera and the Chairs of the health boards. Secretary Herrera assured the Chairs that the authority of the boards to regulate and credential their professions will not change as a result of the departmental reorganization. Kimberly Nania, as the Bureau Director, is the board's contact person with the Department, and all questions and information should go through her. Ms. Sanner also said she has developed, and shared with the Administration, a survey to help gauge the level of service the Boards would like from the Department.

NURSING COALITION

Linda Sanner was at the last meeting of the Nursing Coalition. Supervision and delegation were discussed at the meeting. The Johnson & Johnson Company has a media campaign *Be a Nurse*. Johnson & Johnson is looking for a location for a major kickoff for fundraising for nursing education. The Dean of Marquette has been approached to help with the kickoff banquet in June in Wisconsin. All monies raised will stay in Wisconsin and will be divided between undergraduate and graduate nursing programs.

THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES REGULATIONS RELATING TO ANESTHESIA SERVICES BY CRNA'S

The U.S. Department of Health and Human Services (DHHS) has finalized its regulations concerning anesthesia services by CRNA's. Under this final rule, CRNA's must practice under supervision of a physician unless the Governor of the affected state affirmatively and formally opts out of this requirement.

MOTION: Ruth Lindgren moved, seconded by Pamela Maxson-Cooper, to send a letter to Governor McCallum asking him to formally opt out of the DHHS

requirement that CRNA's must practice under the supervision of a physician. Motion carried unanimously.

ORAL ARGUMENTS IN THE MATTER CONCERNING HEIDI S FURYK, RN

The Board heard oral arguments in the matter concerning Heidi S. Furyk, RN. Ms. Furyk represented herself and Attorney Claudia Berry Miran represented the Department. This matter will be deliberated on in closed session.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Ruth Lindgren reported on the Education and Licensure Committee. Ms. Lindgren attended the NCSBN Midwinter Regional Meeting that was held in March in Chicago. The National League for Nursing Accrediting Commission, Inc., (NLNAC) accredits all types of nursing programs (master's, baccalaureate, associate degree, diploma and practical nursing). The NLNAC is working on streamlining the accreditation process. Assessment and outcomes are increasing in importance, and the NCLEX pass rates are becoming more of an issue across the country. The Commission on Collegiate Nursing Education (CCNE) accredits baccalaureate and master's degree nursing programs in the United States and its territories. CCNE activities underway include evaluator training, collaborative reviews, review of accreditation standards and planning workshops.

The Committee also discussed the Coalition of Nursing Redesign and the pass rate monitoring.

RECESS TO CLOSED SESSION

MOTION: June Bahr moved, seconded by Marie Kohlbeck, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis Stats., for the purpose of consideration of removal from IPP, consideration of requests for stays of suspensions and modification of orders, consideration for requests for unlimited licenses, reviewing orders, deliberation of proposed stipulations, deliberation of a proposed decision, consideration of an administrative warning, reviewing case status report and consulting with legal counsel. Roll call vote: June Bahr – yes, Marie Kohlbeck – yes, Bettye Lawrence – yes, Ruth Lindgren – yes, Pamela Maxson-Cooper – yes, Marilyn Panka – yes, Linda Sanner – yes. Motion carried unanimously.

Open session recessed at 9:36 a.m.

RECONVENE IN OPEN SESSION

MOTION: Marie Kohlbeck moved, seconded by Pamela Maxson-Cooper, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 1:06 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

MOTION: June Bahr moved, seconded by Marilyn Panka, to reaffirm all motions made during closed session. Motion carried unanimously.

REMOVAL FROM IPP

No requests were made for removal from IPP.

REQUESTS FOR STAYS OF SUSPENSIONS/CHANGES IN BOARD ORDERS

KATHLEEN ANGLEHART, RN

MOTION: Marilyn Panka moved, seconded by June Bahr, to grant a three-month stay of suspension to Kathleen Anglehart, RN. Motion carried unanimously.

MARY BLACK, RN

MOTION: Marilyn Panka moved, seconded by Pamela Maxson-Cooper, to grant an unlimited license to Mary Black, RN. Motion carried unanimously.

THOMAS BURKE, RN

The Board reviewed the work report for Thomas Burke, RN. No Board action was necessary,

CHARLES CHAPMAN, RN

MOTION: Marilyn Panka moved, seconded by Ruth Lindgren, to grant an unlimited license to Charles Chapman, RN. Motion carried unanimously.

LEEANNE CROZIER, RN

MOTION: Ruth Lindgren moved, seconded by Pamela Maxson-Cooper, to suspend the license of Leeanne Crozier, RN, for failing to supply the required documentation. Motion carried unanimously.

LUZ DELA CRUZ, RN

MOTION: June Bahr moved, seconded by Marilyn Panka, to grant an unlimited license to Luz Dela Cruz, RN. Motion carried unanimously.

GLADYS EDINBURGH, RN

MOTION: June Bahr moved, seconded by Ruth Lindgren, to suspend the license of Gladys Edinburgh, RN, due to the lack of quarterly work reports. Motion carried unanimously.

LISA MARIE AMICK, RN

MOTION: June Bahr moved, seconded by Marilyn Panka, to terminate the stay of suspension for Lisa Marie Amick, RN, for positive drug screens. Motion carried unanimously.

JUNE HAMILTON, RN

MOTION: Marilyn Panka moved, seconded by Marie Kohlbeck, to grant a three-month stay of suspension, a reduction in therapy to two times per quarter and a reduction in screens to eight (8) per quarter to June Hamilton, RN. Motion carried unanimously.

ANGELA HANAMAN, RN

MOTION: June Bahr moved, seconded by Ruth Lindgren, to deny the request for a stay of suspension to Angela Hanaman, RN, for insufficient screens. Ms. Hanaman cannot reapply for a stay of suspension until she has three full months of compliance with her Order. Motion carried unanimously.

JAMES HEDEMAN, RN

MOTION: June Bahr moved, seconded by Ruth Lindgren, to grant a three-month stay of suspension to James Hedemann, RN. Motion carried unanimously.

LAURIE KASSEL, RN

MOTION: Marilyn Panka moved, seconded by Ruth Lindgren, to grant a three-month stay of suspension to Laurie Kassel, RN. Motion carried unanimously.

ROBIN KING, RN

MOTION: Ruth Lindgren moved, seconded by Marilyn Panka, to grant an unlimited license to Robin King, RN. Motion carried unanimously.

KARI KITTELL, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Marilyn Panka, to grant a three-month stay of suspension and deny the request for a reduction in screens to Kari Kittell, RN. Motion carried unanimously.

KRISTINE KOHLMAN, RN

MOTION: Ruth Lindgren moved, seconded by June Bahr, to grant an unlimited license to Kristine Kohlman, RN. Motion carried unanimously.

MOIRA KRNZEWINA, RN

MOTION: Marilynn Panka moved, seconded by Ruth Lindgren, to grant an unlimited license to Moira Krnzewina, RN. Motion carried unanimously.

LORI LITTLE, RN

MOTION: June Bahr moved, seconded by Marilynn Panka, to refer the matter concerning Lori Little, RN, to DOE. Motion carried unanimously.

LEE DZIATKIEWICZ, RN

MOTION: June Bahr moved, seconded by Marilynn Panka, to terminate the stay of suspension of Lee Dziatkiewicz, RN, for his refusal to drop urine screens and his admission of being impaired while at work. Motion carried unanimously.

PETER LITZAU, RN

MOTION: June Bahr moved, seconded by Ruth Lindgren, to grant a three-month stay of suspension and a reduction in both screens and therapy to two per month to Peter Litzau, RN. Motion carried unanimously.

KIM MAYER, LPN

MOTION: Marilynn Panka moved, seconded by June Bahr, to grant a three-month stay of suspension to Kim Mayer, RN. Motion carried unanimously.

VERLIE A MORISON, LPN

MOTION: Ruth Lindgren moved, seconded by June Bahr, to grant an unlimited license to Verlie A. Morison, LPN. Motion carried unanimously.

CAROL PATEL, LPN

MOTION: Ruth Lindgren moved, seconded by Marilynn Panka, to grant an unlimited license to Carol Patel, LPN. Motion carried unanimously.

HEIDI RIVER, RN

MOTION: Ruth Lindgren moved, seconded by Pamela Maxson-Cooper, to deny the request for a stay of suspension to Heidi River, RN, as she has had two relapses with alcohol. Ms. River cannot reapply for a stay of suspension until she has three full months of compliance with her Order. June Bahr – no. Motion carried.

FRANK SACCO, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Marilyn Panka, to accept the earlier assessment for Frank Sacco, RN. The Department monitor will send a letter that therapy must be two times per month and the Board would like to see quarterly work reports. Motion carried unanimously.

JANICE SCHMIDT, RN

MOTION: June Bahr moved, seconded by Pamela Maxson-Cooper, to grant an unlimited license to Janice Schmidt, RN. Motion carried unanimously.

SHERRIE SMITH, RN

MOTION: Ruth Lindgren moved, seconded by Pamela Maxson-Cooper, to grant an unlimited license to Sherrie Smith, RN. Motion carried unanimously.

LAURALEE THEAMA, LPN

MOTION: June Bahr moved, seconded by Marie Kohlbeck, to grant an unlimited license to Lauralee Theama, LPN. Motion carried unanimously.

JEAN KEUNE, RN

MOTION: June Bahr moved, seconded by Marilyn Panka, to grant an unlimited license to Jean Keune, RN. Motion carried unanimously.

REQUEST FOR REINSTATEMENT OF LICENSE

RANDALL PROCKNOW, RN

MOTION: Ruth Lindgren moved, seconded by June Bahr, to grant a limited license to Randall Procknow, RN, with a five-year stipulation that requires Mr. Procknow to successfully complete a RN refresher course, to deny access to all controlled substances, require therapy one time per month, weekly NA/AA attendance and 52 urine screens per year. Motion carried unanimously.

REVIEW OF ASSESSMENT

LYNN SCHOBER, RN

The Board reviewed the assessment of Lynn Schober, RN. No Board action was necessary.

PROPOSED STIPULATIONS

WALTER J KANITZ, RN

MOTION: June Bahr moved, seconded by Pamela Maxson-Cooper, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Walter J. Kanitz, RN. Motion carried unanimously.

SANDRA A MCCLINTIC, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Marilyn Panka, to reject the proposed stipulation in the matter concerning Sandra A. McClintic, RN, and request quarterly work reports for one year. Motion carried unanimously.

CYNTHIA J HICKINBOTHAM, LPN

MOTION: June Bahr moved, seconded by Marie Kohlbeck, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Cynthia J. Hickinbotham, LPN. Pamela Maxson-Cooper abstained. Motion carried.

CAREN A BURKE, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, to adopt the Findings of Fact, Conclusions of Law, Order and voluntary surrender of license of Caren A. Burke, RN. Motion carried unanimously.

LYNETTE E KRAMER, RN

MOTION: June Bahr moved, seconded by Marilyn Panka, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Lynette E. Kramer, RN. Motion carried unanimously.

JULIE L PENEWELL, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Julie L. Penewell, RN. June Bahr abstained. Motion carried.

PROPOSED DECISION

HEIDI S FURYK, RN

Linda Sanner was absent during deliberations on this matter. Pamela Maxson-Cooper took over as Chair during this time.

MOTION: Ruth Lindgren moved, seconded by Marilyn Panka, to adopt the Findings of Fact of the proposed decision in the matter concerning Heidi Furyk, RN, with the additional Findings of Fact as follows: 1) From approximately 7:30

p.m. to a little after 9:00 p.m. and from approximately 9:30 p.m. until the end of her shift, Ms. Furyk did not personally assess Mrs. Mewes, and 2) The C.N.A.'s checked on Mrs. Mewes about every 15 minutes and reported to Ms. Furyk. Linda Sanner abstained. Motion carried.

MOTION: June Bahr moved, seconded by Ruth Lindgren, to adopt the Conclusions of Law in Proposed Decision concerning Heidi S. Furyk, RN. Linda Sanner abstained. Motion carried.

MOTION: June Bahr moved, seconded by Marie Kohlbeck, to reject the Order as written in the matter concerning Heidi S. Furyk, RN, and request a six-month suspension of license, a five-year Order that includes therapy (including anger management) at least two times per month or at a frequency recommended by the therapist, direct supervision, no home health care, no charge nurse, no pool nursing, twice a month work reports for at least one year, education regarding assessment and delegation (courses pre-approved by the Board) and payment of 50% of the total costs assessed in this matter. Ms. Furyk may petition the Board for a stay of suspension after the initial six-month suspension, but must undergo a psychological assessment, including anger assessment, prior to making such request. Linda Sanner abstained. Motion carried.

ADMINISTRATIVE WARNING

SUSAN R ORR, RN

MOTION: Ruth Lindgren moved, seconded by June Bahr, to issue an administrative warning in the matter concerning Susan R. Orr, RN. Motion carried unanimously.

CASE STATUS REPORT

MOTION: Pamela Maxson Cooper moved, seconded by June Bahr, to close complaint **00 NUR 064** for insufficient evidence. Case advisor was Marie Kohlbeck. Motion carried unanimously.

MOTION: Marilynn Panka moved, seconded by June Bahr, to close complaint **01 NUR 227** for prosecutorial discretion (P5). Case advisor Pamela Maxson-Cooper abstained. Motion carried.

MOTION: Marilynn Panka moved, seconded by Pamela Maxson-Cooper, to close complaint **00 NUR 305** for compliance gained (P2). Case advisor was June Bahr. Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to close complaint **01 NUR 075** for insufficient evidence. Case advisor was Marilynn Panka. Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, to close complaint **01 NUR 027** for compliance gained (P2). Case advisor was June Bahr. Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to close complaint **01 NUR 170** for prosecutorial discretion (P6). Case advisor Linda Sanner abstained. Motion carried.

MOTION: Marilyn Panka moved, seconded by June Bahr, to close complaint **01 NUR 311** for prosecutorial discretion with a flag should the licensee renew the license (P5). Case advisor was Linda Sanner. Ruth Lindgren abstained. Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by Marie Kohlbeck, to close complaint **01 NUR 188** for no violation. Case advisor was June Bahr. Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by Marie Kohlbeck, to close complaint **01 NUR 268** for insufficient evidence. Case advisor was June Bahr. Motion carried unanimously.

MOTION: Ruth Lindgren moved, seconded by June Bahr, to close complaint **99 NUR 096** for insufficient evidence. Case advisor was Pamela Maxson-Cooper. Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by Marilyn Panka, to close complaint **02 NUR 002** for insufficient evidence. Case advisor was June Bahr. Motion carried unanimously.

INFORMATIONAL ITEMS

The Board noted the informational items.

ADJOURNMENT

MOTION: June Bahr moved, seconded by Pamela Maxson-Cooper, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:28 p.m.

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